

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF SEPTEMBER 8, 2016**

**PER CURIAM ORDERS**

REVIEWS GRANTED: Petitions for review were granted today in the following cases.

CV-16-430. Felicia Farris, M.D. v. Cynthia L. Conger C.P.A and Conger Wealth Management, from Pulaski County Circuit Court, Third Division.

CV-16-555. Ray Ellis v. Arkansas Department of Human Services and C.E., Minor Child, from Craighead County Circuit Court, Western District. Danielson, J., would deny.

\*\*\*\*\*

REVIEWS DENIED: Petitions for review were denied today in the following cases.

CV-15-861. SEECO, Inc.; Joyce Walls; and Jack G. Walls and Joyce J. Walls as Co-Trustees of the Jack G. Walls and Joyce J. Walls Revocable Trust v. Carver L. Holden; Chesapeake Operating, Inc.; Chesapeake Exploration, Limited Partnership; Chesapeake Exploration, LLC; Chesapeake Investments; BP America Production Company; BHP Billiton Petroleum (Fayetteville), LLC; and Riverbend Exploration and Production, LLC, from White County Circuit Court. Special Justices Christopher Carnahan and Mark Breeding agree. Special Justices Amanda Hurst and the Honorable Susan Weaver would grant the petition for review. Danielson, Baker, Wood, and Wynne, JJ., not participating.

CV-16-403. Daniel Patrick and Mary Patrick v. Tyson Foods, Inc., Woody L. Doss, and Gregory Clark, from Washington County Circuit Court. Goodson, J., not participating.

CV-16-431. James R. Goodwin v. Elizabeth Goodwin, from Union County Circuit Court.

CV-16-459. Bryce Reveley v. Cindy Livaudais Roth, from Pulaski County Circuit Court, Twelfth Division. Danielson, J., not participating.

\*\*\*\*\*

CR-80-40. Eugene Issac Pitts v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Petitioner's motion for expanded oral argument is granted.

CR-90-198. Lonnie Dolphus Strawhacker v. State of Arkansas, from Washington County Circuit Court. Petitioner's motion for expanded oral argument is granted.

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF SEPTEMBER 8, 2016**  
**PER CURIAM ORDERS**

CR-04-1207. Tishaun Stenhouse v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Petitioner's pro se petition for reconsideration of the denial of reinvesting the trial court with jurisdiction to consider issuance of the petition for writ of error coram nobis on July 21, 2016, is denied. Danielson, J., would grant.

CR-15-585. Daroyce Rodgers v. State of Arkansas, from Miller County Circuit Court. Appellee's motion to dismiss is granted.

CR-15-899. Zachary Holly v. State of Arkansas, from Benton County Circuit Court. Appellant's motion to supplement the record is granted.

CR-15-899. Zachary Holly v. State of Arkansas, from Benton County Circuit Court. Appellant's motion to remand to correct the record is granted.

CR-16-63. Kenneth Ray Marshall v. State of Arkansas, from Columbia County Circuit Court. Appellant's motion for belated filing of a corrected record is granted.

CR-16-266. Rashune Leon Raglon v. State of Arkansas, from Jefferson County Circuit Court. Motion to lodge record and alternative second motion for rule on clerk is granted.

CR-16-415. Ka'Ron Daule Mohammed v. State of Arkansas, from Garland County Circuit Court. Appellee's motion to complete and settle the record and accompanying motion for time extension is granted.

CR-16-427. Derrick Gerade Lambert v. State of Arkansas, from Drew County Circuit Court. Appellant's motion for permission to file supplemental brief is granted.

CR-16-432. Nicholas R. Holloway v. State of Arkansas, from Lonoke County Circuit Court. Appellant's petition for leave to proceed in forma pauperis is granted.

CR-16-432. Nicholas R. Holloway v. State of Arkansas, from Lonoke County Circuit Court. Appellant's pro se motion to supplement the record is moot.

CR-16-432. Nicholas R. Holloway v. State of Arkansas, from Lonoke County Circuit Court. Appellant's petition for writ of certiorari to complete the record is granted.

CR-16-480. Leslie John Harris v. State of Arkansas, from Clark County Circuit Court. Appellant's petition for writ of certiorari to complete the record treated as motion to supplement the record and granted.

## ARKANSAS SUPREME COURT

### PROCEEDINGS OF SEPTEMBER 8, 2016

#### PER CURIAM ORDERS

[CR-16-557](#). Juan Perez v. State of Arkansas, from Miller County Circuit Court. Appellant's motion to dismiss appeal as moot is denied without prejudice. See **per curiam** this date.

[CR-16-588](#). Larry Lavell Jones v. State of Arkansas, from Garland County Circuit Court. Motion of Mark S. Fraiser to withdraw as attorney on direct appeal is granted. See **per curiam** this date.

CR-16-593. Mark Anthony Mosley v. State of Arkansas, from Washington County Circuit Court. Appellant's motion for rule on clerk is granted.

CR-16-721. Edward Rogers v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's petition and amended petition for leave to proceed in forma pauperis is granted.

CV-16-26. McCain Mall Company Limited Partnership v. Ethel Long, from Pulaski County Circuit Court, Twelfth Division. Appellant's motion to dismiss appeal is granted.

CV-16-127. Gary Dye and Linda Dye v. Diamante, A Private Membership Golf Club, LLC and DC Member Group, Inc., from Saline County Circuit Court. Appellants' motion in correction of record is denied. Danielson and Wood, JJ., not participating.

CV-16-185. Elizabeth Ann Williamson, as Administrator of the Estate of Cynthia Frazier, Deceased, and on Behalf of the Wrongful Death Beneficiaries of Cynthia Frazier v. Baptist Health Medical Center, from Pulaski County Circuit Court, Third Division. Appellant's motion for permission to submit a supplemental brief is granted.

CV-16-257. Sarah C. Gildehaus v. Arkansas Alcoholic Beverage Control Board and Christopher Moore, from Benton County Circuit Court. Motion of appellee Christopher Moore to permit filing of appellee's brief is granted. Danielson, J., not participating.

CV-16-257. Sarah C. Gildehaus v. Arkansas Alcoholic Beverage Control Board and Christopher Moore, from Benton County Circuit Court. Appellant's motion to permit filing of appellant's brief is granted. Danielson, J., not participating.

CV-16-304. Arkansas State Police Retirement System, Kirk Bradshaw, John Allison, Brant Tosh, Blake Wilson, Donnie Underwood, Joe Miles, and John Shelnutt v. Glenn Sligh, Myron Hall, Ricky Briggs, Loyd Franklin, Mack Thompson, and Cleve Barfield, from Pulaski County Circuit Court, Seventeenth Division. Appellees' motion to correct typographical error is granted.

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF SEPTEMBER 8, 2016**

**PER CURIAM ORDERS**

CV-16-376. Hannah B. Newell v. Arkansas State Board of Law Examiners, an Original Action. Appellant's motion to dismiss appeal voluntarily is granted.

CV-16-387. Allen Lynn Penn v. Richard Gallagher, Assistant Director, Arkansas State Crime Laboratory, et al., from Pulaski County Circuit Court, Sixth Division. Appellees' motion for substitution of brief is granted.

CV-16-387. Allen Lynn Penn v. Richard Gallagher, Assistant Director, Arkansas State Crime Laboratory, et al., from Pulaski County Circuit Court, Sixth Division. Appellant's pro se motion to file belated brief is granted.

CV-16-435. Samuel A. Perroni v. David Sachar, Executive Director of the Arkansas Judicial Discipline and Disability Commission, et al., from Pulaski County Circuit Court, Ninth Division. Appellant's motion for oral argument is denied. Oral argument is granted under Rule 5-1(a). Brill, C.J., and Danielson, J., would deny oral argument. Wood, J., not participating.

CV-16-472. Reginald L. Dunahue v. Honorable Jodi Raines Dennis, Circuit Judge, and Cindy Glover, Circuit Clerk of Lincoln County, from Lincoln County Circuit Court. Respondent's petition to supplement the record is granted.

CV-16-472. Reginald L. Dunahue v. Honorable Jodi Raines Dennis, Circuit Judge, and Cindy Glover, Circuit Clerk of Lincoln County, from Lincoln County Circuit Court. Petitioner's pro se motion for appointment of counsel is denied.

CV-16-524. Tommy Hall v. State of Arkansas, from Jefferson County Circuit Court. Appellee's motion to dismiss appeal, or alternatively, motion for extension of brief time is granted.

CV-16-597. Julius Larry III v. Charles Townsend, from Pulaski County Circuit Court, Third Division. Appellant's pro se motion for rule on clerk is denied.

CV-16-629. Joanne Amy Doughty v. Ralph Ferrara, from Garland County Circuit Court. Appellant's pro se motion to strike designation of additional portions of the record on appeal is denied.

CV-16-650. Georgia M. Rogers v. Phillips Hospital Corporation d/b/a Helena Regional Medical Center and James Major, M.D., from Phillips County Circuit Court. Appellees' motion to dismiss appeal for failure to timely file the record is granted.

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF SEPTEMBER 8, 2016**

**PER CURIAM ORDERS**

CV-16-674. Jon Christopher Bean and Jennifer Bean v. Arkansas Department of Human Services and Minor Children, from Benton County Circuit Court. Appellant's motion for belated appeal is granted.

CV-16-674. Jon Christopher Bean and Jennifer Bean v. Arkansas Department of Human Services and Minor Children, from Benton County Circuit Court. Appellant Jon Bean's motion to stay brief time pending a ruling on the motion for belated appeal filed by trial counsel for Jon Bean's wife, Jennifer Bean, so that a single brief can be filed for both defendants- a married couple is granted.

CV-16-694. Trevor McClurkin v. Lauren Jenae Willis and Mark Willis, from Sebastian County Circuit Court, Fort Smith District. Petitioner's motion for expedited consideration is granted. Petition for writ of certiorari is denied. Danielson, J., would deny without prejudice. (Proceedings of August 9, 2016)

CV-16-696. Mississippi County, Arkansas, et al. v. City of Osceola, Arkansas, et al., from Mississippi County Circuit Court, Osceola District. Appellants' motion for expedited appeal and for accelerated briefing schedule is denied. (Proceedings of August 9, 2016)

CV-16-731. First Government Lease Company and Paul Anthony Graver v. Northwest Scott County Volunteer Fire Department, from Scott County Circuit Court. Appellants' petition for emergency stay pending appeal, with incorporated brief in support is denied. Danielson, J., would grant. Brill, C.J., not participating. (Proceedings of August 17, 2016)

CV-16-745. Joanne Amy Doughty v. Ralph Ferrara, from Garland County Circuit Court. Appellant's petition for extraordinary writ, expedited consideration and temporary relief is denied. Baker, Goodson, and Hart, JJ., would deny request to expedite consideration of the writ. (Proceedings of August 30, 2016)

CV-16-756. Melanie Wheeler Conway, M.D., Individually and on Behalf of Arkansans Against Legalized Marijuana v. Honorable Mark Martin, Secretary of State, and Arkansans for Compassionate Care 2016, an Original Action. Petitioner's motion for expedited scheduling order is granted. Petitioner's motion for consecutive briefing is granted. Motion for joinder or to intervene by Arkansans for Compassionate Care 2016 is granted. Intervenor's motion to dismiss for failure to state facts upon which relief can be granted and memorandum in support passed until case is submitted. (Proceedings of August 30, 2016)

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF SEPTEMBER 8, 2016**

**PER CURIAM ORDERS**

CV-16-763. Nancy Lee Wilson and Paula Jean Casey, Individually and on Behalf of Fairness for Arkansans v. Honorable Mark Martin, Secretary of State, and Chase Dugger and Stephen Canon, Individually and on Behalf of Health Care Access for Arkansans, an Original Action. Petitioners' motion for expedited scheduling order is granted. Petitioners' motion for consecutive briefings and for oral argument is granted. Motion to intervene by Chase Dugger and Stephen Canon, Individually and on Behalf of Health Care Access for Arkansans is granted. Motion for partial judgment on the pleadings is denied. (Proceedings of September 2, 2016)

D-13-150. Stark Ligon, As Executive Director of the Supreme Court Committee on Professional Conduct v. John Skylar (Sky) Tapp, An Original Action from Committee on Professional Conduct. Joint motion for expanded argument is granted.

D-16-581. In Re James Douglas Foyil, Arkansas Bar No. 81061, an Original Action. Petition of James Douglas Foyil, Arkansas Bar No. 81061, for voluntary surrender of license (resignation) is granted.

D-16-582. In Re Linda S. Auwers, Arkansas Bar No. 2001002, an Original Action. Petition of Linda S. Auwers, Arkansas Bar No. 2001002, for voluntary surrender of license (resignation) is granted.

D-16-583. In Re William W. Hancock, Arkansas Bar No. 84183, an Original Action. Petition of William W. Hancock, Arkansas Bar No. 84183, for voluntary surrender of license (resignation) is granted.

D-16-626. In Re Jason Scott Roberts, Arkansas Bar No. 2006338, an Original Action. Petition of Jason Scott Roberts, Arkansas Bar No. 2006338, for voluntary surrender of license (resignation) is granted.

D-16-627. In Re Pamela M. Gagliani, Arkansas Bar No. 94227, an Original Action. Petition of Pamela M. Gagliani, Arkansas Bar No. 94227, for voluntary surrender of license (resignation) is granted.

D-16-628. In Re Claudia L. Driver, Arkansas Bar No. 84039, an Original Action. Petition of Claudia L. Driver, Arkansas Bar No. 84039, for voluntary surrender of license (resignation) is granted.

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF SEPTEMBER 8, 2016**

**PER CURIAM ORDERS**

D-16-630. In Re George B. Spencer, Arkansas Bar No. 79261, an Original Action. Petition of George B. Spencer, Arkansas Bar No. 79261, for voluntary surrender of license (resignation) is granted.

D-16-649. In Re Sanford M. Brown, Arkansas Bar No. 87201, an Original Action. Petition of Sanford M. Brown, Arkansas Bar No. 87201, for voluntary surrender of license (resignation) is granted.

D-16-654. In Re Linda K. Vandever, Arkansas Bar No. 79128, an Original Action. Petition of Linda K. Vandever, Arkansas Bar No. 79128, for voluntary surrender of license (resignation) is granted.

D-16-665. In Re Patrick Dale O'Rourke, Arkansas Bar No. 74180, an Original Action. Petition of Patrick Dale O'Rourke, Arkansas Bar No. 74180, for voluntary surrender of license (resignation) is granted.

D-16-666. In Re Cristin D. Adam, Arkansas Bar No. 94235, an Original Action. Petition of Cristin D. Adam, Arkansas Bar No. 94235, for voluntary surrender of license (resignation) is granted.

D-16-667. In Re Patrick L. Lowther, Arkansas Bar No. 2007064, an Original Action. Petition of Patrick L. Lowther, Arkansas Bar No. 2007064, for voluntary surrender of license (resignation) is granted.

D-16-668. In Re Steven R. Saindon, Arkansas Bar No. 85207, an Original Action. Petition of Steven R. Saindon, Arkansas Bar No. 85207, for voluntary surrender of license (resignation) is granted.

D-16-669. In Re David L. Devane, Arkansas Bar No. 74168, an Original Action. Petition of David L. Devane, Arkansas Bar No. 74168, for voluntary surrender of license (resignation) is granted.

\*\*\*\*\*

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF SEPTEMBER 8, 2016**  
**MOTIONS SUBMITTED**

**PETITIONS FOR REVIEW:**

CV-16-460. Guillermo Espinoza v. State of Arkansas, from Hot Spring County Circuit Court.

CV-16-508. Owen Kelly v. Mandy Kelly, from Washington County Circuit Court.

CV-16-510. Robert Frost v. City of Rogers Municipal League WCT, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

\*\*\*\*\*

CR-16-511. Alvin Ray Williams v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Appellant's motion to waive addendum obligation.

CR-16-744. Valeria Forkum v. Honorable Robin Green, Circuit Judge, from Benton County Circuit Court. Petitioner's petition for extraordinary relief, specifically: petition for writ of mandamus.

CR-16-744. Valeria Forkum v. Honorable Robin Green, Circuit Judge, from Benton County Circuit Court. Petitioner's motion to stay proceedings in circuit court.

CR-16-744. Valeria Forkum v. Honorable Robin Green, Circuit Judge, from Benton County Circuit Court. Petitioner's motion to file under seal.

CR-16-753. Richard Raymond Ressler v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's motion for rule on clerk.

CV-15-380. Derek Scott Hagar, Successor Administrator of the Estate of Darren Scott Hagar, Deceased, and on Behalf of the Wrongful-Death Beneficiaries of Darren Scott Hagar v. Robert T. Shull, M.D., from Crittenden County Circuit Court. Appellant's petition to transfer case to the Supreme Court.

CV-16-473. Mark Stodola, Mayor of the City of Little Rock; City of Little Rock; Joe Smith, Mayor of the City of North Little Rock; and City of North Little Rock v. Jim Lynch, Tony Orr, and Glen M. Miller, from Pulaski County Circuit Court, Seventeenth Division. Appellees' motion to dismiss and request to stay briefing schedule and appellees' brief in support of motion to dismiss.



**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF SEPTEMBER 8, 2016**

**MOTIONS SUBMITTED**

CV-16-754. JPMorgan Chase Bank, N.A. v. Forlanda A. Scott and Pelvin L. Scott III, from Jackson County Circuit Court. Appellees' motion to dismiss appeal for want of final order.

D-16-773. In Re David G. Paul, Arkansas Bar No. 84120, an Original Action. Petition of David G. Paul, Arkansas Bar No. 84120, for voluntary surrender of license (resignation).

D-16-774. In Re Robert L. Barrow, Arkansas Bar No. 78010, an Original Action. Petition of Robert L. Barrow, Arkansas Bar No. 78010, to surrender Arkansas law license.

D-16-775. In Re Spencer R. Robinson, Arkansas Bar No. 96011, an Original Action. Petition of Spencer R. Robinson, Arkansas Bar No. 96011, for voluntary surrender of license (resignation).

D-16-780. In Re James H. Pilkinton, Jr., Arkansas Bar No. 73094, an Original Action. Petition of James H. Pilkinton, Jr., Arkansas Bar No. 73094, to surrender Arkansas law license.

\*\*\*\*\*

CR-08-514. Joseph M. Bienemy v. State of Arkansas, from White County Circuit Court. Petitioner's pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis, or alternatively, to recall the mandate, or other relief.

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF SEPTEMBER 8, 2016**

**CASES SUBMITTED**

CR-15-1061. Jacqueline Ferguson v. State of Arkansas, from Lonoke County Circuit Court. Orally argued.

CR-15-997. Tony Lenzaro Brooks v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CR-15-1034. Elvis Aaron Thacker v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-16-61. Quenton Vernard Jones v. State of Arkansas, from Pulaski County Circuit Court, First Division.